

**NURSING HOME ADMINISTRATORS EXAMINING BOARD
MINUTES
MADISON, WISCONSIN
MARCH 9, 2000**

PRESENT: Karen Robinson, Jerry Schallock, Patricia Schulz, Robert Mulder, Omar Barberena

ABSENT: Anthony Oberbrunner, David Egan, Roxann Miller Sobek

STAFF PRESENT: Cletus Hansen, Becky Fry; Ruby Jefferson-Moore, Legal Counsel; Jim Polewski, Division of Enforcement

GUESTS: Lavern Woodford, Bureau of Quality Assurance
Bob Huncosky, Bureau of Quality Assurance

CALL TO ORDER

The meeting was called to order at 10:10 a.m. by Karen Robinson, Chair. A quorum of five voting members was present.

AGENDA

MOTION: Jerry Schallock moved, seconded by Patricia Schulz, to adopt the agenda as published. Motion carried unanimously.

MINUTES (2/17/00)

MOTION: Robert Mulder moved, seconded by Patricia Schulz, to approve the minutes, as written. Motion carried unanimously.

ADMINISTRATIVE REPORT

Secretary Cummings' Report

Secretary Cummings introduced Deputy Secretary, William Conway, to the Board.

Secretary Cummings indicated that there was nothing new regarding SB299 and AB607 and the bill may not make it through until the next legislative session

The Board questioned the timeframe for filling the vacancies on the Board.

Bureau Director's Report

- **Board Roster**

The Board received an updated roster. Minor changes or corrections were noted.

- **Meeting Dates**

The Board members received an updated list of 2000 meeting dates. The next screening meeting will be May 15, 2000 unless something comes up and one is needed in April. The next Board meeting is June 15, 2000.

- **To-Pass Folder**

Information was circulated in the To-Pass Folder and duly noted.

The Board received copies of the February 11, 2000 memo relating to the Life Safety Informational Release and the February 15, 2000 memo relating to Disposal of Medical Records, from Susan Schroeder, Director of the Bureau of Quality Assurance. Noted.

LEGISLATIVE UPDATE

SB299 and AB 607, Requirements that Apply to a Person Taking the Examination for a Nursing Home Administrator License

Nothing to report.

ADMINISTRATIVE RULES UPDATE

Revision of Chapter HFS 132

Nothing to report.

EXAMINATION ISSUES

Darwin Tichenor gave a brief update on the computerized examination process. He indicated the national exam is taking approximately 45 minutes less now that it is computerized.

BOARD MEMBER ACTIVITY

Karen Robinson informed the Board that she just returned from Savannah, Georgia where she was doing item writing for the residential care assisted living exam.

The Board discussed the June 2000 NAB meeting to be held in Seattle, Washington.

MOTION: Patricia Schulz moved, seconded by Robert Mulder, to authorize Karen Robinson to attend the June NAB meeting and represent the Board with full voting privileges. Motion carried unanimously.

MEMO OF AGREEMENT BETWEEN DHFS AND DRL, REGARDING SUBSTANDARD QUALITY OF CARE

Karen Robinson explained the Board's concerns relating to the way cases are reviewed and enforced, and referred to the proposed revisions to the current Memorandum of Agreement, drafted by Ruby Jefferson-Moore. Karen Robinson referred to the amendments regarding DHFS sending NHA and DRL the name and license number of the current acting administrator when deficiencies are sited, and also the name and license number of the previous administrator, if applicable, and the dates of the administrator's tenure. She also indicated that the Board would like to receive a brief statement of any particular concerns BQA has with regard to the conduct of any administrator of the cited facility relating to substandard quality of care.

Lavern Woodford advised changing the language to include all administrators and their tenure one-year prior to the completion of the survey.

The Board and BQA representatives discussed the requested statement of concern and who would be responsible for preparing these statements.

Jim Polewski explained the jurisdiction NHA and the Division of Enforcement (DOE) currently have over administrators. He explained what specific information is needed from BQA to present a case proving that an individual has preformed below the standards of the profession for acceptable competence. He indicated that there is no specific list of minimal standards of competency and information would need to be reviewed on a case by case basis by the Board.

The Memorandum of Agreement will be redrafted to include language relating to all administrators and their tenure "one-year prior to the completion of the survey" and BQA Legal Counsel will contact Ruby Jefferson-Moore in regards to the inclusion of item "H."

ACTING ADMINISTRATORS AND PROVSIONAL LICENSES

Karen Robinson identified concerns with provisional licensing relating to HFS 132, changing 60 calendar days to secure a replacement, licensed administrator to 120 days. She indicated the Board's preference to leave the 120 days and to require the consultation of a licensed nursing home administrator to the acting administrator during the interim period.

The Board and BQA representatives discussed the process and criteria for granting waivers to operate a facility without a license.

The Board questioned whether, if item "H" is included in the Memorandum of Agreement, the language indicating who will be responsible for writing the brief summary should be included in the Memorandum of Agreement.

Jim Polewski indicated that he would prefer the language not be included in the MOA. He indicated that the summary could be written anonymously and it would be up to him to prove the allegations.

ADMINISTRATIVE WARNINGS

Noted.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

None.

NEW BUSINESS

None

RECESS TO CLOSED SESSION

The Board did not adjourn to closed session, as there was no business that needed to be discussed in closed session.

OTHER ITEMS AS AUTHORIZED BY LAW

None

ADJOURNMENT

MOTION: Jerry Schallock moved, seconded by Omar Barberena, to adjourn the meeting at 11:45 a.m.

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